

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

SHEPP ELECTRIC COMPANY, INC.)	CASE NO. 1:20-cv-00452
)	
Plaintiff,)	JUDGE SOLOMON OLIVER, JR.
)	
v.)	
)	OPPOSITION TO MOTION FOR
RUSTY BOYER, et al.)	ATTORNEYS' FEES
)	
Defendants.)	
)	

Plaintiff Shepp Electric Company, Inc. (“Shepp”) opposes Defendants Rusty Boyer and Generator One, LLC’s (“Defendants”) Motion for Attorneys’ fees. (Doc 89). Defendants’ characterization of those proposed fees as “reasonable” is unsupported by the facts related to that Motion, and therefore Shepp prays that the Court will deny Defendants’ Motion.

Shepp’s response to the Court’s Motion to Show Cause Order (Doc. 83) explains that only one out of three of the “disclosed” matters identified by Defendants could reasonably be characterized as disclosing a confidential matter discussed during mediation. For that reason, Shepp suggests that if the Court decides to award Defendants any attorneys’ fees, that order should be limited to 1/3 not 1/2 of the total time logged by Defendants’ attorneys attributable to their “successful” motion, as suggested by Defendants.

Defendants’ Motion reports spending 5.5 hours on their “successful” motion. 3.5 hours of that time was reportedly spent preparing that Motion. Shepp’s attorney suggests that reported time is excessive. 1.1 hours of that time was reportedly spent reviewing and revising that draft Motion. Shepp’s attorney submits that reported time is excessive.

Using the 1/3 of the total 5.5 hours of time reported by Defendants’ attorney yields 1.82

hours. 1.82 hours times Defendants' attorneys' rate of \$300 per hour yields \$544.50 not the "at least" \$1,800.00 in fees sought by Defendants' attorney.

For these reasons, if the Court decides to award Defendants any attorneys' fees, Shepp prays that award shall not exceed \$544.50.

Respectfully submitted,

/s/ Stewart D. Roll

Stewart D. Roll (0038004)

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CERTIFICATE OF SERVICE

A copy of the foregoing was filed electronically on the 19th day of August 2022. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

Dated: August 19, 2022

/s/ Stewart D. Roll

Stewart D. Roll (0038004)